

EXHIBIT K

Gary Gershik

From: Lucas, Jay [Jay.Lucas@USPTO.GOV]
Sent: Wednesday, June 09, 2004 5:19 PM
To: Gary Gershik
Cc: Pearson, Charles
Subject: RE: U.S. Serial No. 08/477,159

Mr. Gershik,

In response to your letter, please be advised that our USPTO records indicate that application number US 08/477,159 has not published in accordance with 35USC122(b) and is still considered confidential.

Sincerely,

Jay Lucas
USPTO

-----Original Message-----

From: Gary Gershik [mailto:GGERSHIK@COOPERDUNHAM.COM]
Sent: Tuesday, June 08, 2004 4:50 PM
To: Lucas, Jay
Cc: John P. White
Subject: U.S. Serial No. 08/477,159

Dear Mr. Lucas,

Further to our June 8, 2004 telephone conference, I understand from you that U.S. Serial No. 08/477,159, filed July 7, 1995, has not been published as a U.S. Application Publication, has not issued as a U.S. Patent, and all of its prosecution file contents remain confidential and not accessible by the public as of the date of this electronic mail.

Kindly confirm this by return electronic mail to me.

As required by M.P.E.P. § 502.03, and recognizing that Internet communications are not secure, I hereby authorize you to reply to me for the purposes of this inquiry only, by electronic mail. I understand that a copy of this communication and your reply will be made of record in the application file.

Thank you,

Gary J. Gershik
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